

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

Revised: 12/10/97  
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In re: \_\_\_\_\_ \*

Debtor(s) \_\_\_\_\_ \*

BK No. \_\_\_\_\_

Chapter \_\_\_\_\_

**Motion for Relief From Stay**

by: \_\_\_\_\_,

**SUMMONS, NOTICE TO FILE JOINT  
PRETRIAL ORDER, AND  
NOTICE OF TRIAL**

To the above-named defendant:

You are hereby summoned AND REQUIRED TO SERVE upon \_\_\_\_\_,

the movant's attorney, whose address is:

an **OBJECTION OR AN ANSWER** to the **MOTION** which is herewith served upon you, **ON OR BEFORE** \_\_\_\_\_ **AND TO FILE THE OBJECTION OR ANSWER WITH THIS COURT, IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU** for the relief demanded in the motion.

YOU ARE HEREBY NOTIFIED THAT IN ACCORDANCE WITH 11 U.S.C. § 362(e), A **PRELIMINARY HEARING** WITH RESPECT TO THIS MOTION HAS BEEN SET FOR \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ m., at 380 Westminster Mall, Sixth Floor, Providence, Rhode Island 02903. Any attorney who is not admitted to practice in the U.S. District Court for the District of Rhode Island must obtain pro hac vice admission pursuant to LBR 9010-1(b) and must have local counsel enter an appearance at least 5 days before the hearing. See LBR 9010-1(c).

A JOINT PRETRIAL ORDER IS REQUIRED TO BE FILED NO LATER THAN 3 BUSINESS DAYS BEFORE THE PRELIMINARY HEARING DATE AND IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN LOCAL BANKRUPTCY RULE 9014-1(c).

**\*\*\*\*FAILURE TO TIMELY FILE THE JOINT PRETRIAL ORDER WILL RESULT IN THE COURT'S DENIAL, WITHOUT PREJUDICE, OF THE MOTION FOR RELIEF FROM STAY AND THE ABOVE HEARING DATE WILL BE AUTOMATICALLY VACATED. A NEW MOTION AND FILING FEE WILL BE REQUIRED TO REINITIATE THIS MATTER. \*\*\*\***

SUSAN M. THURSTON, CLERK  
U.S. BANKRUPTCY COURT

By: \_\_\_\_\_  
Deputy Clerk

[seal of the U.S. Bankruptcy Court]

Date of issuance: \_\_\_\_\_

THE PLAINTIFF MUST SERVE THIS SUMMONS, TOGETHER WITH THE MOTION ON THE DEFENDANT(S) AND ALL PARTIES HOLDING ANY INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS MOTION. IF THEREAFTER CONTESTED, IT MUST SERVE THE INITIAL DRAFT OF THE JOINT PRE-TRIAL ORDER ON DEFENDANT(S).

# CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that I am, and at all times  
(name)

during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint was made

\_\_\_\_\_ by:  
(date)

**Mail Service:** Regular, first class United States mail, postage fully pre-paid, addressed to:

**Personal Service:** By leaving the process with defendant or with an officer or agent of defendant at:

**Residence Service:** By leaving the process with the following adult at:

**Publication:** The defendant was served as follows: [Describe briefly]

**State Law:** The defendant was served pursuant to the laws of the State of \_\_\_\_\_ as follows: [Describe briefly]  
(name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Print Name:

Business Address:

City:

State:

Zip: